

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

DUNKIN' DONUTS FRANCHISED
RESTAURANTS LLC, et al.,

Plaintiffs and
Counterclaim Defendants,

v.

AGAWAM DONUTS, INC., et al.,

Defendants,
Counterclaim Plaintiffs, and
Third-Party Plaintiffs,

v.

DUNKIN' BRANDS, INC.
ED JAY, a Massachusetts Resident,
JOHN DOE NO. 1, a Massachusetts Resident,
JOHN DOE NO. 2, a Massachusetts Resident, and
JOHN DOE NO. 3, a Massachusetts Resident,

Third-Party Defendants.

1:07-cv-11444-RWZ

**DEFENDANTS' EMERGENCY MOTION TO FILE
CERTAIN DOCUMENTS UNDER SEAL**

Pursuant to LR 7.2 and the Scheduling Order of October 29, 2007, Defendants¹ request that the following documents, enclosed with this motion, be filed under seal on the grounds that they contain documents, or excerpts of documents, temporally designated "attorneys' eyes only":

1. Defendants' Motion for Summary Judgment;
2. Memorandum in Support of Defendants' Motion for Summary Judgment;

¹ Specifically, the Defendants are Agawam Donuts, Inc., B.E. Donuts, Inc., Belmont Donuts, Inc., Derek Donuts, Inc., J.A. Donuts, Inc., Jessica Donuts, Inc., JNS Commissary, Inc., Lori Donuts, Inc., LPJ Donuts, Inc., Rocky Donuts, Inc., Springfield Donuts, Inc., Supermarket Donuts, Inc., West Side Donuts, Inc., Fletcher Donuts, LLC, John Salema, Jessica Salema, Derek Salema, Peter Martins, Lori Martins and Alexander DaSilva:

3. Defendants' Statement of Undisputed Facts in Support of Their Motion for Summary Judgment;
4. Affidavit of Erica Fuller;
5. Dunkin' Donuts' 30(b)(6) Deposition Transcript, with exhibits 1 through 31; and
6. Motion for Protective Order (Memorandum Incorporated).

Defendants state that the documents should remain impounded under the terms of LR 7.2 and the Scheduling Order, or until further order of the Court.

Respectfully submitted,

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Rocky Donuts, Inc.
West Side Donuts,
John Salema, and
Alexander DaSilva

Dated: December 14, 2007

CERTIFICATE OF SERVICE

I, Carla A. Salvucci, hereby certify that this document has been filed through the ECF system and will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on this date.

/s/ Carla A. Salvucci
Carla A. Salvucci